



# Fall 2023 Newsletter

OCECD.ORG



Welcome to OCECD's Fall 2023 newsletter! This newsletter begins an exciting 3-part series on Behavior and related topics. Here, we discuss Behavior and Discipline, including information about Positive Behavioral Interventions and Supports (PBIS), Functional Behavior Assessments (FBA), Behavior Intervention Plans (BIP), and setting concrete goals and objectives related to behavior in the IEP. The series will continue in depth on the topic of behavior throughout this year, so check back for our Winter 2024 and Spring 2024 newsletters when they are available to learn more!

*The information provided in this newsletter is for general informational purposes only and should not be considered as legal advice.*





## BEHAVIOR and DISCIPLINE RESOURCES FOR PARENTS

Nothing can be more stressful for a parent than to get repeated calls from their child's school requesting that they must come and pick up their child due to behaviors that are out of control. Many parents also are frustrated due to the school's use of repeated punishments that have not resulted in positive behavior changes. The challenge for both parents and educators is to work together to find new ways of understanding and addressing the interactions between a child and his or her school environment, so that useful interventions can be developed that lead to lasting behavior change. The focus of this newsletter will be to provide information for parents about the strategies schools may use to help children learn appropriate behavioral skills.

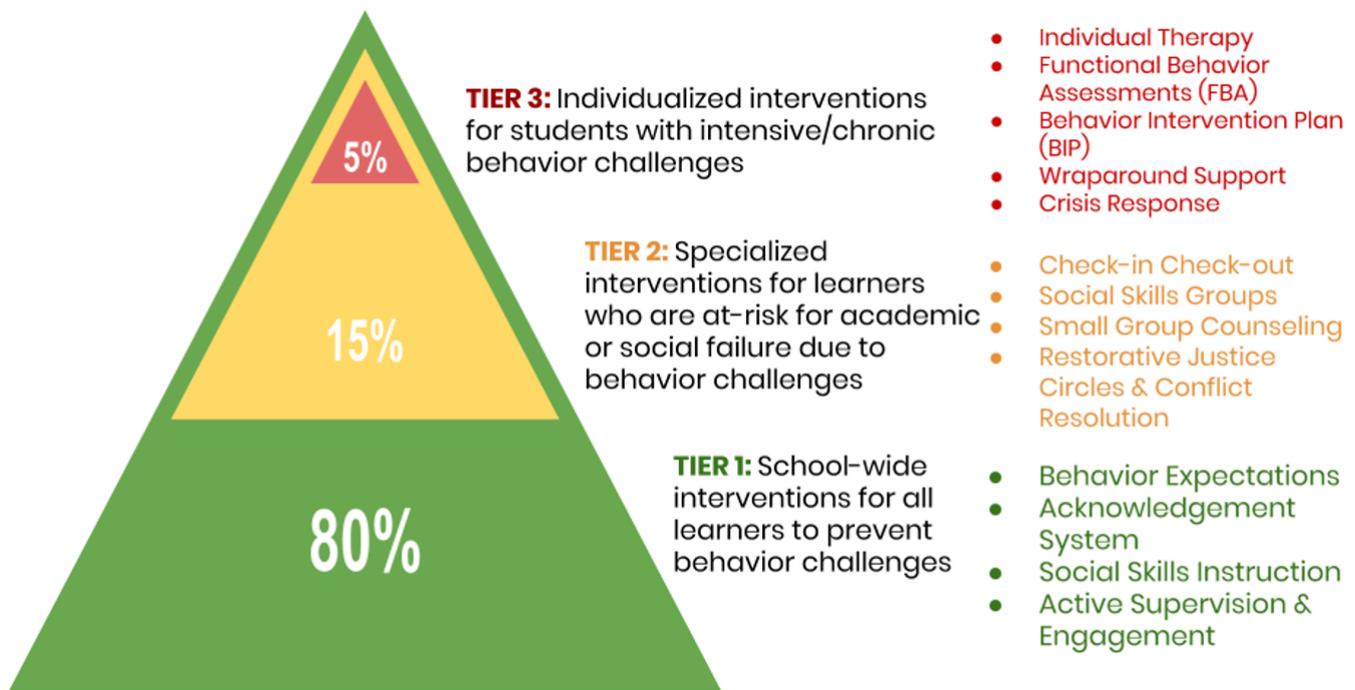
If a child has been identified as a student with a disability or suspected of a disability under IDEA [Individuals with Education Disability Act, the school must provide the services and supports needed by the student to receive FAPE [Free Appropriate Public Education]. These services must be based on the student's unique needs and not determined by the category of disability service listed in Section 4 of the ETR [Evaluation Team Report]. Students identified as students with disabilities, not requiring special education services under Section 504 of the Rehabilitation Act of 1973, also are to be provided accommodations that will provide FAPE. Keep in mind that the most effective approach teachers can use to handle problem behavior is to develop and implement strategies that will prevent or decrease the likelihood of poor behavior choices from occurring in the first place. Ohio's Positive Behavioral Interventions and Supports [PBIS] programs help schools to recognize the benefits of preventive school discipline and allow for student success.



PBIS is the only approach to addressing behavior that is specifically mentioned in IDEA. The PBIS efforts in Ohio are primarily supported by the Department's Office of Integrated Student Supports, the sixteen regional State Support Teams (SST), and many Educational Service Centers (ESC), as well as being implemented in schools statewide. [About Ohio PBIS | Ohio Department of Education](#) IDEA requires the IEP team to consider

the use of PBIS for any student whose behavior has impeded his or her learning or the learning of others. Since IDEA requires the implementation of PBIS, IEP teams, including the parent/guardian, should have knowledge of PBIS so that it may be implemented to improve outcomes and address behavior.

The focus of PBIS is prevention, by having supports in place and a plan if needed to address specific behaviors or a pattern of behaviors. PBIS has 3 tiers of support for behavior and for when the behavior stems from a student's disability.



[For more detailed information about the 3 tiers of PBIS:](#)

[PBISworld.com](https://www.pbisworld.com/tier-1/) Tier 1 <https://www.pbisworld.com/tier-1/>

[PBISworld.com](https://www.pbisworld.com/tier-2/) Tier 2 <https://www.pbisworld.com/tier-2/>

[PBISworld.com](https://www.pbisworld.com/tier-3/) Tier 3 <https://www.pbisworld.com/tier-3/>

Ohio endorses Positive Behavior Interventions and Supports [PBIS]. Please see:

<http://education.ohio.gov/Topics/Student-Supports/PBIS-Resources>

[Information for Families about Positive Behavioral Interventions and Supports \(PBIS\) - Ohio's Statewide Family Engagement Center \(osu.edu\)](#)

[Center on PBIS](#)

The Ohio Department of Education has divided the state into 16 State Support Teams [SSTs]. Each SST has PBIS consultants on staff to work with parents and schools. See the link to the PBIS [resources at State Support Team Region 11:](#)

[link to the other SSTs](#)

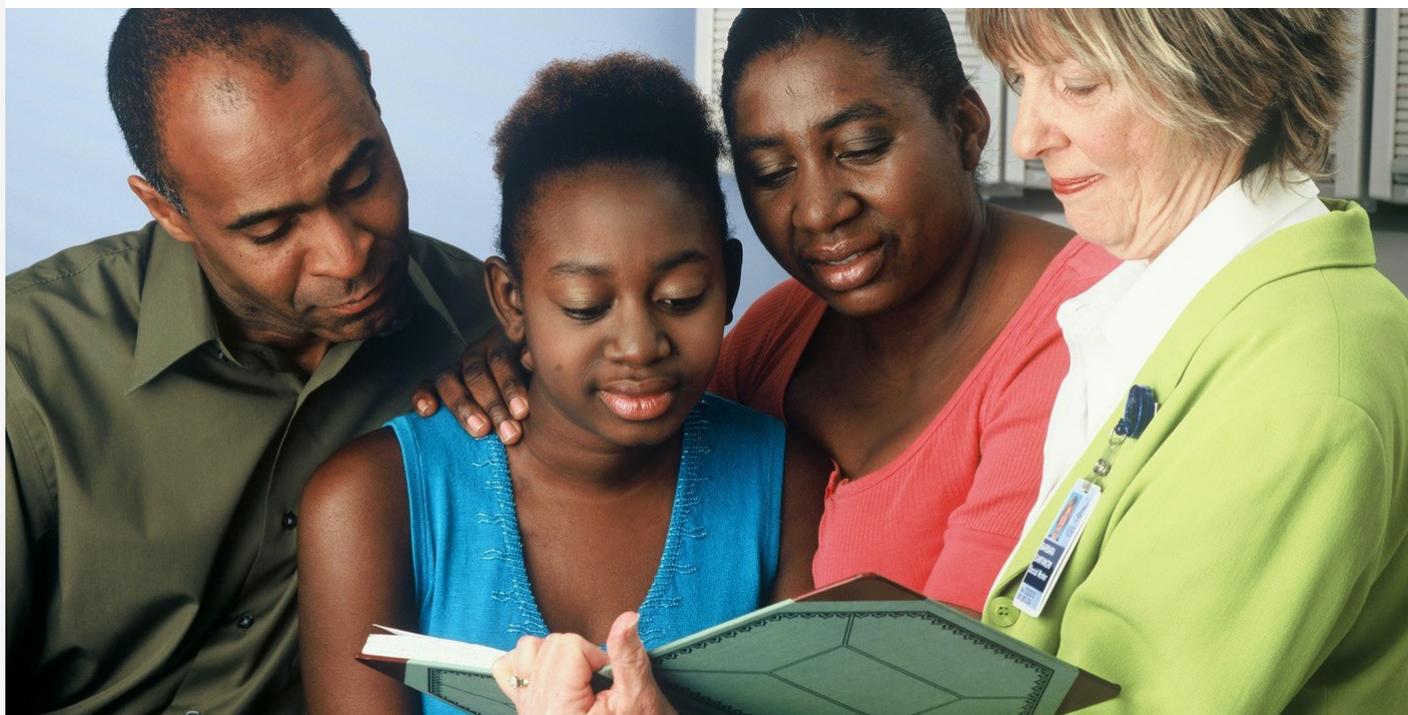
For IEP teams to provide goals and objectives that address both academic achievement and functional performance, they must change their opinion that the child IS a problem to the understanding that the child HAS a problem. To illustrate, Devon is a 12-year-old boy refusing to do his schoolwork. When reminded to get busy, he may swear, spit, or throw his work on the floor. If the educator feels Devon IS the problem because he is lazy or disrespectful, the educator may respond to undesirable behavior negatively with punishment or threats. In fact, Devon may have learned that his behavior is successful in getting him out of doing required work. Being sent home becomes a “reward,” not a punishment, that may actually reinforce the undesirable behavior it was designed to correct. This is known as negative reinforcement. When the educator feels that Devon IS the problem, his IEP goals may not include functional performance goals which would provide specially designed instruction for improving his behaviors and social-emotional skills.



Good grades may not be as important as social-emotional skills in Devon's adult life. No one ever loses a job for a D in history, but they may do so if they lack the social-emotional skills to work well with others.

When educators feel that Devon HAS a problem, they gather assessment data to understand the motivation behind the misbehavior. Behavior will be addressed in a more constructive manner than in the previous model. The IEP will be written to address both academic achievement and functional performance for behavioral issues. Devon will be taught positive behavior skills that will be recognized, reinforced, or rewarded. Educators will learn to use consequences that are meaningful to the child rather than punishment and/or suspension.

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## FUNCTIONAL BEHAVIOR ASSESSMENT [FBA]



The best course of action for a school to obtain the data needed to move from “the child IS the problem” to “the child HAS a problem,” is to conduct a Functional Behavior Assessment [FBA]. This assessment will identify the triggers or “functions” for the inappropriate behavior and may also identify any antecedents or what happens right before the misbehavior occurs. This is necessary to develop a positive behavior intervention plan [BIP]. Ohio has optional forms for both the FBA and BIP. Links to optional forms:

- [Form OP-1: Functional Behavior Assessment](#)
- [Form OP-2: Behavior Intervention Plan](#)

FBA's most often are recommended when:

- When a student reaches removals totaling 10 days, as per IEP team decision;
- A student's behavior is interfering with the ability to benefit from instruction (e.g., the student is frequently removed from the classroom setting, student is unable to participate, etc.):

- A student's behavior is disrupting the learning of the student and / or others and is not adequately addressed by the current level of services.

Those who contribute data and provide assessments may include, but are not limited to, special education teachers/intervention specialists, parents, counselors, administrators, and school psychologists. For complex behavior, a Board-Certified Behavioral Analyst [BCBA] may be needed. [BACB Certificant Registry](#).

An FBA, if properly conducted, will provide information that parents and educators will use to come up with the "best guess," or hypothesis, about why a specific behavior is occurring, so that a Behavior Intervention Plan [BIP] can be developed that teaches the child acceptable ways to get their needs met. The FBA will define behavior in measurable terms that can be seen and counted. Stating "Sam is aggressive" is not measurable. "Sam will hit, kick when asked to complete a task that is too difficult" is measurable. According to [Wrightslaw.com](#): "Failure to base the intervention on the specific cause (function) very often results in ineffective and unnecessary restrictive procedures." In other words, don't waste valuable time on interventions (behavioral or otherwise) when there is no evidence that this particular intervention is likely to work for this particular child, in this particular situation. <https://www.wrightslaw.com/info/discipl.fab.starin.htm>



The FBA process will collect data from as many sources as possible, including samples of class work, direct observation, interviews, questionnaires, or checklists to identify how others perceive the problematic behavior, and analyze possible motivations or triggers for the problem behavior. Observations that record the situational factors surrounding the problematic behavior will be necessary. Employ who, what, where, when questions to gather as much information as possible about the behavior and to discover when the behavior does and does not occur. Compare and analyze the data, events, antecedents or triggering events, target behavior, and consequences that maintain the behavior. Review medical and school records, achievement

and educational testing, behavioral, mental health and social skills assessments, plus interviews and survey reports completed by parents, others who know the student, and the student, if appropriate. The greater the concern about the behavior impeding the student's own learning or the learning of others, the more data-gathering, planning, and analysis will be required to develop an effective behavioral support plan.

The FBA will examine the A, B Cs of Behavior

**A=Antecedent:** A cause or event that influences the development of a behavior or behaviors, such as the size of the classroom, number of kids in classroom, or the specific event, time of day, etc.

**B=Behavior:** What one does in response to the event, cause, or condition. Behavior (positive or negative) fulfills a specific need for a child.

**C=Consequence:** What happens as a result of a behavior that affects whether it is likely to happen again. If the consequence of a behavior meets a need the behavior is likely to be repeated.

Antecedent—assignment too difficult

Behavior—throws chair and kicks the teacher

Consequence— teacher gets angry—student sent to the office—does not do the work

- [Form OP-2: Behavior Intervention Plan](#)

To reach the outcome that parents and educators want means they must work together to build on the child's existing strengths, as well as teach skills that have not been mastered or that have not become habits.

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## BEHAVIOR INTERVENTION PLAN [BIP]

Even though IDEA does not mandate Behavior Intervention Plans [BIPs] to address behavior, the IEP team should consider whether the specially designed instruction included in Sections 6 and 7 of the IEP are sufficient to modify behavior. If the student is not making progress on IEP goals, the IEP team needs to reconvene to address developing a separate Behavior Intervention Plan [BIP]. This BIP should be referenced in the IEP, and since the BIP is referenced in the IEP, the plan must be completed with parent participation. If data and progress reports indicate a decrease in problematic behaviors due to the implementation of IEP functional performance goals and services, a separate behavior plan usually would not be required.

Data collection is crucial when implementing an IEP behavior goal or BIP. If all educators and service providers are not using the same criteria for data collection, or data was not collected as required by the IEP, the team would not be able to adequately address the student's lack of progress and /or escalating problematic behaviors. The same is true if staff members lack adequate training concerning how to collect and analyze the data with reliability. Whether behaviors are addressed by the IEP or by a BIP, data collection will document the provision of FAPE. Without this data collection, the school district cannot determine whether the student is making progress or whether the use of replacement behaviors is increasing or decreasing. If the student's behavior is not impeding learning, it may be determined that FAPE has been provided. If the opposite is true, it may result in the denial of FAPE.

The BIP is designed to change the outcome by preventing the behavior from actually happening, reducing the severity of the behavior by de-escalating the behavior before it becomes extreme or

by assisting the student to use skills the student has been taught to use in making better behavior choices and replace the inappropriate choice.

An understanding that most behaviors are governed by their circumstances is key to planning interventions. An example is a of a child who has a fight and is suspended. If the child does not want to be in school, he or she may learn that fighting is a good way to get sent home; if the child wants to gain attention from his peers or teachers, fighting may be used as a way to secure attention and status. For a student with a specific learning disability in reading, misbehavior may be used to save face with their peers. Any time a child exhibits a behavior (acceptable or unacceptable) that is successful in meeting one of his or her needs, it is likely that the behavior will be repeated. Behavior serves a logical function for the child. It is the role of the BIP to identify and substitute this logical function for the child with an acceptable behavior for both the student and adults.

Behaviors are governed by consequences. Behaviors that result in desirable consequences for the child are likely to be retained or strengthened, while behaviors that do not result in desirable consequence are discarded or weakened. Therefore, schools must evaluate and monitor the IEP and BIP by collecting data on student progress. Behavior goals need to be reviewed and evaluated. The school, IEP team, and parents determine whether to continue or to modify the BIP by setting review dates. If no one is in charge of collecting and reviewing the data, the plan will fail. A great BIP on paper will fail if not implemented with fidelity by all staff.



## BEHAVIOR GOALS AND OBJECTIVES ON THE IEP

The focus of this article is PBIS, FBAs and BIPs; however, it would be an error of omission not to mention functional performance goals on the IEP. The evaluations in the Evaluation Team Report [ETR], school assessments, and FBAs provide the data to determine the starting point to write goals that ensure success. When presented with a nonpreferred tasks, such as dealing with frustration, the IEP team uses data to determine whether it is a big problem or a little problem. Did the behavior meet a need? What can be predicted about this behavior? It will keep on happening until the student is taught appropriate replacement behavior.

A sample behavior goal: Jake will take a break in order to replace problematic behavior with appropriate behavior and return to the task at hand 80% of the time in 3 out of 5 trails, as measured by his behavior chart data.

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## CONCLUSION

Teaching positive behavior strategies and providing mental health services as consistently as educators teach reading and other academic content is the ultimate goal for implementing PBIS, FBAs, and BIPs in Ohio schools. Working together, we can ensure good outcomes for all students. Be on the lookout for our Winter 2024 newsletter where we will continue the conversation on this topic with a discussion about discipline related to violations of student code of conduct due to inappropriate behavior, which includes suspension, expulsion, emergency removal, and important information about the Manifestation Determination Review.

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## Resources

### WHERE TO ASK FOR HELP in OHIO

Ask school for names of behavior support personnel and intervention specialists,

### Board Certified Behavior Analysts [BCBA]

[www.bacb.com](http://www.bacb.com)

**DISABILITY RIGHTS OHIO** for legal assistance Web: [www.disabilityrightsohio.org](http://www.disabilityrightsohio.org) Toll free 800-282-9181 or 614-466-7264 Kristin Hildebrant, Esq.; [khildebrant@disabilityrightsohio.org](mailto:khildebrant@disabilityrightsohio.org) ext. 109. Kristin is a special education attorney.

**Disability Rights Ohio** is pleased to announce that **Emily Durell, attorney at law**, assists with families in **Delaware, Fairfield, Franklin, Licking, Madison, Pickaway, and Union counties at no cost**. The quickest way for parents to have a case opened with Emily is to fill out the DRO intake form online (<https://www.disabilityrightsohio.org/intake-form>) or calling 614-466-7264 or 1-800-282-9181, pressing option 2, and leaving a voicemail, 9-noon and 1-4.

**Contact DRO via mail:** 200 Civic Center Dr, Suite 3, Columbus, OH 43215

[www.disabilityrightsohio.org/resource-center](http://www.disabilityrightsohio.org/resource-center) has many resources on special education topics.

### Ohio Coalition for the Education of Children with Disabilities

[www.ocecd.org](http://www.ocecd.org)

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Ohio Dept. of Education. Office of Integrated Student Supports, coordinates resources for positive and safe schools, such as programs related to safety, anti-bullying, mental and behavioral health, positive behavioral intervention supports (PBIS), and trauma-informed care.

[Integrated Student Supports | Ohio Department of Education](https://www.ohio.gov/Integrated-Student-Supports)

[Brittany.miracle@education.ohio.gov](mailto:Brittany.miracle@education.ohio.gov)

## PBIS GENERAL INFORMATION

Office of Whole Child Supports

[PbisOhio@education.ohio.gov](mailto:PbisOhio@education.ohio.gov)

### Ohio Department of Education

25 South Front Street, Mail Stop 409

Columbus, Ohio 43215-4183

614-644-6830

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### [Ohio State University. Nisonger Center Behavior Support Services](https://nisonger.osu.edu/clinics-services/child/behavior-support-services/)

<https://nisonger.osu.edu/clinics-services/child/behavior-support-services/>

### [PBIS for Ohio](#)

### [PBIS for Ohio families](#)

### [State Support Teams](#)

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## NATIONAL RESOURCES

### Center for Parent Information & Resources [CPIR]

<https://www.parentcenterhub.org/pbs-resources/>

[EmpoweringParents.com](https://www.empoweringparents.com/). <https://www.empoweringparents.com/> "You can't punish your child into good behavior." A company dedicated to empowering parents with the tools to manage the most challenging behavior problems in children ages 5 to 25.

### [National Education Association. Positive Behavioral Interventions and Supports: a multi-tiered Framework that works for every student 6/23/20.](#)

[PACER.org](https://www.pacer.org/).

### [PACER: Functional Behavior Assessment and Intervention resources:](#)

### [PACER: Examples of positive behavioral intervention strategies](#)

### [Positive Behavioral Interventions and Supports \[PBIS\]](#)

[Understood.org](https://www.understood.org/). [www.understood.org](https://www.understood.org/) Types of behavior assessments:

<https://www.understood.org/en/school-learning/evaluations/types-of-tests/types-of-behavior-assessments>

[Wrightslaw.com](https://www.wrightslaw.com/). Functional Behavior Assessment and Behavior Intervention Plan

<https://www.wrightslaw.com/info/discipl.index.htm>

[Handling a Manifestation Determination Review: A "How To" for Attorneys - Wrightslaw](#)

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## OCECD PUBLICATIONS

Behavior-Focused IEPs English and Spanish

[English](#) | [Spanish](#)

Positive Behavioral Interventions and IDEA 2004:

opportunities for parenting and teaching [English](#) | [Spanish](#)

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